

Message Text

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46

ACTION PM-03

INFO OCT-01 ARA-06 EUR-12 ISO-00 NSC-05 SP-02 SS-15 L-03

MC-02 OMB-01 CIAE-00 INR-07 NSAE-00 /057 W

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R 081025Z AUG 75

FM AMEMBASSY BELGRADE

TO SECSTATE WASHDC 3772

INFO AMEMBASSY TEGUCIGALPA

ASD/ISA WASHDC

C O N F I D E N T I A L BELGRADE 4129

E.O. 11652: GDS

TAGS: MASS YO HO

SUBJECT: TRANSFER OF F-86 AIRCRAFT

REF : STATE 178338

1. SINCE BELGRADE 3730 REPORTS ONLY ON MEETING BETWEEN DATT AND REPRESENTATIVES OF COMMERCIAL FIRM AND NOT ON EMBASSY STEP VIS-A-VIS GOY TO CLARIFY AIRCRAFT SALE, DEPT IS CORRECT IN ASSUMPTION THAT QTE PROCEDURE OUTLINED UNQTE DOES NOT CONSTITUTE CLARIFICATION OF ISSUE REQUESTED IN STATE 131869.

2. AS INDICATED BELOW, AND AS REPORTED PREVIOUSLY IN BELGRADE 3472, EMBASSY STILL PRESSING TO OBTAIN FULLY COMPLIANT LETTER FROM GOY ON THIS MATTER. USEFUL, HOWEVER, TO RECAP ISSUE SINCE PRESENCE OF COMMERCIAL FIRM HAS BEEN, AND STILL MAY BE, COMPLICATING FACTOR.

3. CLOSE REVIEW OF FILE OF THIS CASE REVEALS SOME EARLY CONFUSION ABOUT THE STATEMENT USG REQUIRES FROM GOY. STATE 73384 INFORMED EMBASSY THAT DEPT PREPARED TO APPROVE SLAE OF GOY AIRCRAFT TO HONDURAS AND INSTRUCTED EMBASSY TO OBTAIN GOY REQUEST FOR USG APPROVAL OF PROPOSED TRANSACTION. LETTER REQUEST GOY SUBMITTEBNDID NOT MEET CRITERIA, SINCE IT INDICATED SALE WOULD BE REALIZED THROUGH PRIVATE FIRM ACTING AS THIRD PARTY.

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4. STATE 131869 ASKED EMBASSY TO CLARIFY GOY LETTER BY

REQUESTING EMBASSY TO (A) SEND LETTER EMPHASIZING TITLE TRANSFER MUST BE GOVERNMENT TO GOVERNMENT AND (B) REQUEST WRITTEN ACKNOWLEDGEMENT FROM GOY THAT IT UNDERSTOOD AND ACCEPTED US POSITION. DEPTTEL SUGGESTED CAUTIOUS APPROACH TO GOY TO AVOID RAISING SUSPICIONS THAT USG WAS IMPOSING NEW REQUIREMENT. EMBASSY COMPLIED ON ALL COUNTS, BOTH IN FACT AND IN TONE. GOY HAS STILL NOT PASSED NECESSARY LETTER TO EMBASSY.

5. WHILE AWAITING GOY RESPONSE TO EMBASSY LETTERS SEEKING CLARIFICATION, REFTEL RECEIVED. EMBASSY HAS NOW TAKEN ADDITIONAL STEP OF DELIVERING TO GOY LETTER THAT GOY COULD SUBMIT TO USG AND FULFILL LATTER'S REQUIREMENTS. DRAFT LETTER MAKES FOLLOWING POINTS: (A) REQUEST (AGIN) USG APPROVAL FOR SALE; (B) SPELL OUT ASSURANCE THAT LEGAL TITLE OF AIRCRAFT AND ENGINES WILL PASS DIRECTLY FROM GOY TO GOH; (C) INDICATE ACKNOWLEDGMENT THAT AIRCRAFT AND ENGINES CANNOT BE EXPORTED OR TRANSFER OF TITLE MADE UNTIL USG APPROVAL HAS BEEN RECEIVED; (D) INDICATE AGREEMENT TO NOTIFY EMBASSY IN WRITING WHEN LEGAL TITL HAS PASSED FROM GOY TO GOH.

6. ABOVE ACTIONS, IN EMBASSY VIEW, DO NOT COMPLETELY SOLVE MATTER, EVEN IF GOY ACTS PROMPTLY ON DRAFT LETTER. AS BELGRADE 3720 REPORTS, AND EPT CORRECTLY NOTES, AVIATION BUSINESS SERVICES (ABS) MAY BE UNDER SOME MISCONCEPTION ABOUT USG REQUIREMENTS BEFORE SALE APPROVAL CAN BE GRANTED. DATT JUST RECEIVED LETTER FROM PAUL AUBIN OF ABS STATING, INTER ALIA, THAT HE DOES NOT EXPECT EMBASSY TO HEAR ANYTHING OF TITLE TRANSFER UNTIL SOMETIME IN EARLY PART OF SEPTEMBER. BUT AUBIN'S ALREADY REPORTED CONVERSATION WITH DATT AND SUBSTANCE OF THIS NEW LETTER INDICATE HE IS CONFUSED AS TO EXACT PROCEDURES AND TIMING THAT SHOULD BE FOLLOWED IN EFFECTING TRANSFER OF TITLE AND SHIPMENT OF AIRCRAFT AND SPARES FROM YUGOSLAVIA TO HONDURAS. EMBASSY BELIEVES IT WOULD BE HELPFUL ID DEPT CONTACTED AUBIN AT ABS IN HOLLYWOOD, FLORIDA, TELEPHONE (305) 922-2566, AND INFORMED HIM OF EXACT NATURE OF STEPS IN APPROVAL PROCESS AND ADVISE HIM OF LATEST EMBASSY EFFORTS TO GET GOY TO BE COMPLIANT (SEE PARA 5, POINTS A THROUGH D).
SILBERMAN

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